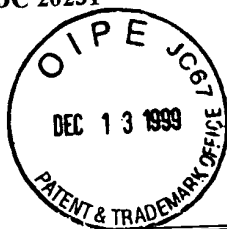


12-14-99

OP 1646  
#11  
12/30/99  
Zmiller

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL		RECEIVED
(Form is only for Continuation or Divisional applications under 37 CFR 1.53(d))		DEC 16 1999
Address to:  <b>ASSISTANT COMMISSIONER FOR PATENTS BOX CPA WASHINGTON, DC 20231</b>	Attorney Docket No. 5784-25	TECH CENTER 1600/2900
	(Of Prior Application)	
	First Named Inventor: Shirley	
	Examiner Name: F. Moezie	
	Group/Art Unit: 1646	
Express Mail Label No. EL247263504US		



This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 09/188,051 filed on November 6, 1998 entitled COMPOSITIONS PROVIDING FOR INCREASED IGF-1 SOLUBILITY.

NOTES
<b>FILING QUALIFICATIONS:</b> The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.
<b>C-I-P NOT PERMITTED:</b> A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).
<b>EXPRESS ABANDONMENT OF PRIOR APPLICATION:</b> The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.
<b>ACCESS TO PRIOR APPLICATION:</b> The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.
<b>35 U.S.C. 120 STATEMENT:</b> In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

- ☐ Enter the unentered amendment previously filed on under 37 CFR § 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney is enclosed.

5. Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449  
b. ☐ Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	56 - 20* =	36	x \$ 18 =	\$ 648.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	7 - 3** =	4	x \$78 =	\$ 312.00
	MULTIPLE DEPENDENT CLAIMS (if applicable)(37 CFR 1.16(d))			+ \$260 =	0
	BASIC FEE (37 C.F.R. 1.16)				\$ 760.00
	Total of above Calculations =				\$1,720.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
	* Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.				
	TOTAL =				\$1,720.00

☒ The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.

6. Small entity status:

- a. ☐ A small entity statement is enclosed.  
b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c. ☐ is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account \_\_\_\_\_

- a. ☐ Fees required under 37 CFR 1.16 (National filing fees).  
b. ☐ Fees required under 37 CFR 1.17 (National application processing fees).

8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.

9. ☐ New Attorney Docket Number, if desired \_\_\_\_\_

10. ☒ Return Receipt Postcard  
☐ Receipt For Facsimile Transmitted CPA

11. ☐ Other:

In the event that extensions of time are not included with this communication in a separate paper and are necessary to allow the filing of this Continued Prosecution Application, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore is hereby authorized to be charged to Deposit Account No. \_\_\_\_\_

**NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.**

**11. NEW CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label 000826 or \_\_\_\_ New correspondence address below

Attention:

**12. SIGNATURE OF ATTORNEY**

NAME: David M. Krasnow  
Registration No. 34,203

SIGNATURE: 

TELEPHONE NUMBER: Raleigh Office (919) 420-2200

FAX NUMBER: Raleigh Office (919) 420-2260

**ALSTON & BIRD LLP**

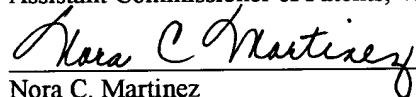
P.O. Drawer 34009

Charlotte NC 28234-4009

Express Mail" Mailing Label Number EL247263504US

Date of Deposit: December 13, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box CPA, Assistant Commissioner of Patents, Washington, DC 20231.



Nora C. Martinez